

Appl. No. 10/811,688  
Amdt. Dated Apr 4, 2005  
Reply to Office action of November 27, 2004

### **REMARKS/ARGUMENTS**

In the specification, the paragraphs [0006], [0023], [0024] and [0027] have been amended to correct minor editorial problems. Language reflecting the features shown in Figure 5, Figure 6 and Figure 9 has also been added to paragraph [0023]. This paragraph addresses the cylindrical shape of the mat studs, as well as the locking lips which partially surround the studs and the similarly configured lip recesses. References to the stud shape and partially surrounding locking lips, consistent with Figure 2, also have been added to paragraph [0024]. Paragraph [0024] also notes that the stud rows are parallel and that lateral movement between the mat module and the connector studs is prevented when the studs are inserted into stud receptacles.

Claims 1-18 remain in this application. Claims 8, 9 and 10 have been amended. Claims 15-18 have been added.

The examiner has acknowledged that claims 1-8 and 13 are directed to allowable subject matter. Claim 14 was not addressed by the examiner. However, it appears that claim 14 is allowable because of its similarity to claims 5-8 and because it is a dependent claim which depends upon allowed independent claim 13.

Claim 8 has been amended to correct a typographical error. The original claim 8 was a dependent claim depending upon claim 2. Thus claim 8 and claim 6 were identical. Claim 8 has been amended to depend upon claim 4. Claim 4 has been allowed. Claim 8 adds the same border height and corner height limitations contained within claim 6. Claim 6 is a dependent claim which depends upon claim 2. The revised claim 8 should be allowed just as similar

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original claims 5-8 were allowed.

Claim 10 was rejected as being clearly anticipated by Eppich (U.S. patent number 4,147,007). The examiner stated "Eppich discloses a connector comprising two spaced apart rows of upstanding studs attached to a base (Figure 1), wherein the studs of each row are shaped and spaced to engagingly fit within stud receptacles of a mat, at least one stud having a locking lip (404 and 410, Figure 20) to interlock with the lip recess of a stud receptacle of the adjacent mat (column 9, lines 14-17)." Eppich is not a connector. Eppich is directed to matable modular elements. The use of the term matable (a derivative of mate and not mat) may have caused some confusion. Eppich does not have two rows of upstanding studs. It has one row of rib pairs. See bottom drawing of Eppich Figure 1 and view the rib pairs (204) from left to right. Only one row is disclosed. The two spaced apart rows of upstanding studs referred to within claim 10 are not present in Eppich. The ribs and rib pairs of Eppich are not studs because they are not pin like or peg like. The ribs in Eppich are long walls. One definition of stud given by the third edition of the American Heritage Dictionary is "Any of various protruding pins or pegs in machinery, used mainly as a support or pivot." The Eppich studs do not interlock. They permit lateral movement of the modules. The rib pairs in Eppich do not engagingly fit within the receptacles formed by rib pairs on another module because of the permitted lateral movement.

Claim 10 has been amended to add the following features.

The spaced apart rows are parallel. The studs are shaped and spaced to securely fit within the stud receptacles of the mat such

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that lateral movement between the mat and the connector studs is prevented. At least one of the connector studs has a locking lip partially surrounding the stud.

The locking lip partially surrounding the stud does not appear in the prior art. It provides the function of enhancing the bond between a stud and a receptacle into which the stud has been inserted. Further, the stud is more easily installed and removable from a receptacle into which it has been inserted as compared to a stud with a fully surrounding lip. The reference to the studs being shaped and spaced to engagingly and securely fit within the stud receptacles of the mat such that lateral movement between the mat and the connector studs is prevented more clearly differentiates claim 10 from Eppich because lateral movement of the parts as disclosed in Figure 1 and Figure 2 of Eppich is permitted. Such lateral movement between the connector stud of claim 10 and the stud receptacle into which the stud has been inserted is not permitted.

Claims a 17 and 18 have been added. These claims depend upon claim 10. They refine the features of the studs such that the studs have a uniform cross sectional shape along their longitudinal axis and, more particularly, such that the studs are cylindrical in shape. This clearly differentiates the studs from the barrel shaped stud (64, Figure 7) and dual diameter receptacle (40, Figure 5) of Morrison (U.S. patent number 4,468,910). These features are evident in Figure 2.

Claims 11 and 12 were rejected as being clearly anticipated by Morrison. The examiner stated "Morrison discloses a resilient mat border comprising a border body having a stud slot (67,

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Figure 7), the slot having a lip recess shaped to interlock with the locking lip of the upstanding stud and said resilient border having a downwardly tapered top surface (best shown in Figure 7)."

The barrel shaped stud (64 Figure 7) and dual diameter receptacle (40, Figure 5) of Morrison do not to disclose a slot. A slot is a different structure. When the Morrison barrel shaped stud (64) is inserted into the dual diameter receptacle (40) lateral movement between the mat and the ramp is not permitted. When the stud slot (see reference No. 62 of Figure 2 and Figure 3 of this application) of the border (60, Figure 2) of this invention is engaged with a plurality of studs having locking lips (36, Figure 2) sliding movement of the border (60, Figure 2) which is desirable, is permitted. Such lateral movement of the border is not permitted in Morrison when the barrel shaped stud is inserted into the dual diameter receptacle. However, when the barrel shaped stud of Morrison is inserted into the large diameter portion of the dual diameter receptacle undesirable movement along the longitudinal axis of the stud is permitted. The slot 62 of the border (60) of claim 11 is clearly a different structure from the dual diameter receptacle (40, Figure 5) of Morrison. Because of these differences claim 11 and claim 12 which depends upon claim 11 should be allowed.

Claim 9 is directed to an interlocking mat module. Claim 9 was rejected as being obvious in light of Morrison (U.S. patent number 4,468,910). The examiner stated "Morrison discloses an interlocking mat module comprising a mat having a stud edge with a plurality of upstanding studs (32, Figure 4) forming a row attached thereto, the studs being upstanding when mat is turned over, and the stud receptacle edge having a plurality of stud receptacles formed therein

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(40, Figure 5), wherein the studs are shaped and spaced to engagingly fit within the stud receptacles of a similarly configured mat, at least one of the upstanding studs has a locking lip (enlarged diameter 33 and column 3, winds 11-15) and wherein at least one stud receptacle has a lip recess shaped to interlock with locking lips of upstanding studs."

The barrel shaped stud (64, Figure 7) of Morrison does not have a locking lip. The enlarged diameter receptacle (40, Figure 5) of Morrison is not a receptacle with a lip recess shaped to interlock with locking lips of upstanding studs. When the enlarged diameter of the Morrison stud (64) is positioned within the large diameter portion of the Morrison receptacle (40) vertical and horizontal movement is permitted. In the instant invention such movement is not permitted. When the enlarged diameter of the Morrison stud (64) is positioned within the narrow diameter portion of the receptacle (40) undesirable stud compression occurs. No such stud compression occurs in the instant invention.

Claim 9 has been amended. At least one of the upstanding studs has a locking lip partially surrounding the stud. At least one stud receptacle has a lip recess shaped to interlock with partially surrounding locking lips of upstanding studs. The locking lip partially surrounding the stud does not appear in the prior art. The stud receptacle with a lip recess shaped to interlock with partially surrounding locking lips of upstanding studs also does not appear in the prior art. The partially surrounding locking lips and similarly configured locking lip recesses provide an enhanced bond when a stud is inserted into a receptacle. Further, the stud is more easily installed and removable from the receptacle into which it has been inserted as compared to a stud with a

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fully surrounding lip.

Claims 15 and 16 have been added. These claims depend upon claim 9. They refine the features of the studs such that the studs have a uniform cross sectional shape along their longitudinal axis and, more particularly, such that the studs are cylindrical in shape. This clearly differentiates the studs from the barrel shaped stud (64, Figure 7) and dual diameter receptacle (40, Figure 5) of Morrison (U.S. patent number 4,468,910). These features are evident in Figures 2, 5, 6, 7 and 10.

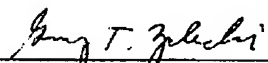
On March 31, 2005 a telephone interview between the examiner and the attorney for the applicant was conducted. The applicant's attorney had previously provided the examiner with new proposed claims 9 and 10, an unmodified copy of claim 11 and an argument summary. The argument summary was substantially similar to the arguments presented herein. Proposed claims 9 and 10 contained new limitations and/or features now appearing within amended claims 9-10 and 15-18. Claims 9-11 and 14 were discussed. The Eppich patent (U.S. patent number 4,147,007) and the Morrison patent (U.S. patent number 4,468,910) were discussed. It was agreed that claims 9 and 10 would be allowable if they included the feature of a locking lip partially surrounding the stud. Applicant's attorney pointed out that the stud slot referred to within claim 11 was a different structure from the Morrison barrel shaped stud and dual diameter receptacle. The examiner agreed and indicated tentatively that claim 11 would be allowed. Applicant's attorney pointed out that claim 14 had been apparently overlooked in the first office action but that that claim should be allowed because it depends upon allowed independent claim

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13. The examiner acknowledged that claim 14 was not addressed in the first office action.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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